

# HOUSE JOURNAL

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SEVENTY-FOURTH LEGISLATURE, REGULAR SESSION

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## PROCEEDINGS

FORTY-SECOND DAY — THURSDAY, MARCH 23, 1995

The house met at 10 a.m. and was called to order by the speaker.

The roll of the house was called and a quorum was announced present (Record 85).

Present — Mr. Speaker; Alexander; Allen; Alonzo; Alvarado; Averitt; Bailey; Berlanga; Black; Bosse; Brady; Brimer; Carona; Carter; Chisum; Combs; Conley; Cook; Corte; Counts; Crabb; Craddick; Cuellar, H.; Cuellar, R.; Culberson; Danburg; Davis; De La Garza; Dear; Delisi; Denny; Driver; Dukes; Duncan; Dutton; Edwards; Ehrhardt; Eiland; Elkins; Farrar; Finnell; Giddings; Glaze; Goodman; Goolsby; Gray; Greenberg; Grusendorf; Gutierrez; Haggerty; Hamric; Harris; Hartnett; Hawley; Heflin; Hernandez; Hightower; Hilbert; Hilderbran; Hill; Hirschi; Hochberg; Holzheuser; Horn; Howard; Hudson; Hunter, B.; Hunter, T.; Jackson; Janek; Johnson; Jones, D.; Jones, J.; Junell; Kamel; King; Krusee; Kubiak; Kuempel; Lewis, G.; Lewis, R.; Longoria; Luna; Madden; Marchant; Maxey; McCall; McCoulskey; McDonald; Moffat; Moreno; Mowery; Munoz; Naishtat; Nixon; Oakley; Ogden; Oliveira; Park; Patterson; Pickett; Pitts; Place; Price; Puente; Rabuck; Ramsay; Rangel; Raymond; Reyna; Rhodes; Rodriguez; Romo; Rusling; Sadler; Saunders; Seidlits; Serna; Shields; Siebert; Smithee; Solis; Solomons; Staples; Stiles; Swinford; Telford; Thompson; Tillery; Torres; Turner, B.; Turner, S.; Uher; Van de Putte; Walker; West; Williamson; Willis; Wilson; Wohlgemuth; Wolens; Woolley; Yarbrough; Yost; Zbranek.

Absent, Excused — Davila; Talton.

Absent — Clemons; Coleman; Gallego.

The invocation was offered by Reverend Marshall Moore, Sunset Canyon Baptist Church, Dripping Springs, as follows:

Our Heavenly Father, this morning we pray for these who come together to work for a better state. Help us to begin the day with the assurance of your presence. We thank you for all of life's blessings and acknowledge all we have comes from your graciousness. Encourage these that are in places of leadership and give to them the insight required in this time of decision. May each one provide themselves time for thought and assist us all that we may avoid mistakes of yesterday. Amen.

### LEAVES OF ABSENCE GRANTED

The following member was granted leave of absence for today because of important business in the district:

Talton on motion of Allen.

The following member was granted leave of absence temporarily for today because of important business:

Davila on motion of Puente.

### CAPITOL PHYSICIAN

Speaker Laney presented Dr. Larry Myers of Mansfield as the "Doctor for the Day."

The house welcomed Dr. Myers and thanked him for his participation in the Physician of the Day Program sponsored by the Texas Academy of Family Physicians.

### LEAVES OF ABSENCE GRANTED

The following member was granted leave of absence for today because of illness in the family:

Clemons on motion of Telford.

The following member was granted leave of absence for the remainder of today because of important business:

Horn on motion of Reyna.

### HR 470 - ADOPTED

Representative Wilson moved to suspend all necessary rules to take up and consider at this time **HR 470**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

By Wilson,

**HR 470**, Congratulating the Houston Rockets on winning the 1994 NBA championship.

The resolution was read and was adopted without objection.

On motion of the Houston Delegation, the names of all the members of the house were added to **HR 470** as signers thereof.

### INTRODUCTION OF GUEST

The speaker recognized Representative Wilson, who introduced Gary Bradley, owner of the Houston Rockets basketball team, winners of the 1994 NBA championship.

### LEAVE OF ABSENCE GRANTED

The following member was granted leave of absence for today because of important business in the district:

Coleman on motion of Uher.

(Speaker pro tempore in the chair)

### HR 459 - ADOPTED

Representative Hightower moved to suspend all necessary rules to take up and consider at this time **HR 459**.

The motion prevailed without objection.

The chair laid before the house the following resolution:

By Hightower,

**HR 459**, Commending Charles G. Shandera on the occasion of his retirement.

The resolution was adopted without objection.

**HR 465 - ADOPTED**

Representative Staples moved to suspend all necessary rules to take up and consider at this time **HR 465**.

The motion prevailed without objection.

The chair laid before the house the following resolution:

By Staples,

**HR 465**, Recognizing Neches Heritage Day, March 25, 1995.

The resolution was adopted without objection.

**HR 408 - ADOPTED**

Representative Combs moved to suspend all necessary rules to take up and consider at this time **HR 408**.

The motion prevailed without objection.

The chair laid before the house the following resolution:

By Combs,

**HR 408**, Granting the South Central Texas District of Optimist International permission to use the house chamber on April 27, 1995.

The resolution was adopted without objection.

**HR 457 - ADOPTED**

Representative Pitts moved to suspend all necessary rules to take up and consider at this time **HR 457**.

The motion prevailed without objection.

The chair laid before the house the following resolution:

By Pitts,

**HR 457**, Designating March 29, 1995, as Ellis County Day.

The resolution was adopted without objection.

**HR 421 - ADOPTED**

Representative Naishtat moved to suspend all necessary rules to take up and consider at this time **HR 421**.

The motion prevailed without objection.

The chair laid before the house the following resolution:

By Naishtat,

**HR 421**, Recognizing March, 1995, and March of each succeeding year as Kidney Awareness Month in Texas.

The resolution was read and was adopted without objection.

On motion of Representative Greenberg, the names of all the members of the house were added to **HR 421** as signers thereof.

#### **HR 439 - ADOPTED**

Representative Hawley moved to suspend all necessary rules to take up and consider at this time **HR 439**.

The motion prevailed without objection.

The chair laid before the house the following resolution:

By Johnson,

**HR 439**, Commending the Texas Association of Future Homemakers of America.

The resolution was read and was adopted without objection.

On motion of Representative Kubiak, the names of all the members of the house were added to **HR 439** as signers thereof.

(Gallego now present)

#### **PROVIDING FOR LOCAL AND CONSENT BILLS AND RESOLUTIONS CALENDARS**

Representative Rodriguez moved to set local and consent bills and resolutions calendars for 10 a.m. Thursday, March 30.

The motion prevailed without objection.

#### **RESOLUTIONS REFERRED TO COMMITTEE**

The following resolutions were laid before the house and referred to committee:

By Zbranek,

**HR 461**, Congratulating the Silsbee High School girls' basketball team.  
To Committee on Rules and Resolutions.

By Torres,

**HR 462**, Congratulating Christopher Saenz for his selection for the People to People Student Ambassador Program.  
To Committee on Rules and Resolutions.

By Staples,

**HR 463**, Designating March 28, 1995, as Palestine Day.  
To Committee on Rules and Resolutions.

By Swinford, Smithee and Chisum,

**HR 464**, Designating March 28, 1995, as Panhandle Day.  
To Committee on Rules and Resolutions.

By Davila,  
**HR 466**, Recognizing the eighth annual Hispanic Women in Leadership conference.

To Committee on Rules and Resolutions.

By Talton,  
**HCR 140**, In memory of Joe Manor.  
To Committee on Rules and Resolutions.

By Patterson,  
**HCR 141**, Designating May 18, 1995, as Think Child Safety Day at the Capitol.

To Committee on Rules and Resolutions.

### CONGRATULATORY AND MEMORIAL CALENDAR

The chair laid before the house the following memorial resolutions:

By Averitt,  
**HR 377**, In memory of Mexia police officer Ricky Lee Ward.

By West,  
**HR 378**, In memory of Ola Mae McDonald.

By Maxey,  
**HR 379**, In memory of Felipe D. Acosta.

By Torres,  
**HR 382**, In memory of Houston police officer David Michael Healy.

By Willis,  
**HR 383**, In memory of Jack E. Bowers.

By Willis,  
**HR 384**, In memory of Fort Worth Police Department Detective Don Manning.

By Wilson,  
**HR 388**, In memory of Elizabeth Hale Calderon.

By Kamel,  
**HR 390**, In memory of Hal Bradley Gallop.

By Delisi,  
**HR 391**, In memory of Ernest S. Fletcher.

By Zbranek,  
**HR 398**, In memory of Hardin County deputy sheriff Billy Roberts.

By Saunders,  
**HR 414**, In memory of G. M. Blackman.

By Johnson,  
**HR 417**, In memory of Richard Clemit Hyden.

By Willis,  
**HR 427**, In memory of Mack H. Williams.

By Willis,

**HR 428**, In memory of former state representative Chris Miller.

The resolutions were unanimously adopted by a rising vote.

The chair laid before the house the following congratulatory resolutions:

By Solomons,

**HCR 131**, Congratulating Dr. Carol Diann Smith Surles on her selection as the ninth president of Texas Woman's University.

By Chisum,

**HCR 135**, Commending the Reverend Neal Thomas Jones, Sr.

By Dear,

**HR 299**, Congratulating Jodie and Ardath Colvard on their 50th wedding anniversary.

By Seidlits,

**HR 301**, Congratulating Coach Kevin Cook, Assistant Coaches Randy Denney and Elizabeth Waits, and the Whitesboro LadyCats on entering the State Semi-Finals.

By Hudson,

**HR 303**, Congratulating Dr. James L. Sweatt III on his installation as the 1995 president of the Dallas County Medical Society.

By Wilson,

**HR 306**, Commending Warren Moon.

By Wilson,

**HR 307**, Honoring Harris County judge Robert Eckels.

By Maxey,

**HR 313**, Honoring Betty deGoumois.

By Maxey,

**HR 314**, Honoring Elizabeth Stroberg.

By Maxey,

**HR 316**, Honoring Helen Church.

By Maxey,

**HR 317**, Honoring Elsa Germer.

By Maxey,

**HR 318**, Honoring Alta Russell.

By Maxey,

**HR 319**, Honoring Ruth Franklin.

By Maxey,

**HR 320**, Honoring Effie Leonard.

By Maxey,

**HR 321**, Honoring Noreen O'Kane.

By Maxey,

**HR 322**, Honoring Irma Hurd.

By Maxey,  
**HR 323**, Honoring Coralia Schotz.

By Maxey,  
**HR 324**, Honoring Louise Bradshaw.

By Maxey,  
**HR 325**, Honoring Lola Mae Daniel.

By Maxey,  
**HR 326**, Honoring Lindy Lindeman.

By Conley,  
**HR 338**, Congratulating Roby and Nathaniel Sanders on their 50th wedding anniversary.

By Hudson,  
**HR 341**, Commending the heroism of Logan Johnson.

By Carona,  
**HR 344**, Commending Jan Rabb Friedheim and the Executive Secretarial School.

**HR 350** was withdrawn.

By Denny, Hamric, Craddick, et al.,  
**HR 351**, Commending the Texas Federation of Republican Women.

By Eiland and Gray,  
**HR 357**, Congratulating the Galveston College Whitecaps on winning the 1994 NJCAA Division I baseball championship.

By Averitt,  
**HR 358**, Commending Chief Hospitalman Winfred E. Watkins on the occasion of his retirement from the United States Naval Reserve.

By Saunders,  
**HR 360**, Honoring Gary and Andrea Barrier.

By Corte,  
**HR 361**, Commending the Alamo Head Injury Association.

By Counts,  
**HR 362**, Honoring W. R. and Wynette Moore for their contributions to the field of agriculture.

By Serna,  
**HR 364**, Honoring Brooke Alyse Wasick and Robert Anthony Navar on the occasion of their marriage.

By Alexander,  
**HR 371**, Congratulating George Ryan Marvin on attaining the rank of Eagle Scout.

By Allen,  
**HR 374**, Commending Max and Helen Biderman for their accomplishments as owners of Pot's Department Store.

By Alexander,

**HR 381**, Commending the Reverend Dairy G. Johnson, Sr., for his service to Bethlehem Missionary Baptist Church.

By Rusling,

**HR 385**, Commending Sue Mood McMichael.

By Rusling and Averitt,

**HR 387**, Congratulating the Vanguard High School Lady Vikings basketball team.

By Kamel,

**HR 389**, Honoring the East Texas State Fair.

**HR 392** was withdrawn.

**HR 393** was previously adopted.

The resolutions were adopted without objection.

### **HR 451 - ADOPTED**

Representative Davis moved to suspend all necessary rules to take up and consider at this time **HR 451**.

The motion prevailed without objection.

The chair laid before the house the following resolution:

By Davis,

**HR 451**, Commending E. Rochelle Brown for her accomplishments in broadcast journalism.

(Davila now present)

The resolution was read and was adopted without objection.

On motion of Representatives J. Jones and Giddings, the names of all the members of the house were added to **HR 451** as signers thereof.

### **HB 3177 - PERMISSION TO INTRODUCE**

Representative Price moved to suspend the constitutional rule for permission to introduce and have placed on first reading **HB 3177**.

A record vote was requested.

The motion prevailed by (Record 86): 139 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Alexander; Allen; Alonzo; Alvarado; Averitt; Bailey; Berlanga; Bosse; Brady; Brimer; Carona; Carter; Chisum; Combs; Conley; Cook; Corte; Counts; Crabb; Craddick; Cuellar, H.; Cuellar, R.; Culberson; Danburg; Davila; Davis; De La Garza; Dear; Delisi; Denny; Driver; Dukes; Duncan; Dutton; Edwards; Ehrhardt; Eiland; Farrar; Finnell; Gallego; Giddings; Glaze; Goodman; Goolsby; Gray; Greenberg; Grusendorf; Gutierrez; Haggerty; Hamric; Harris; Hartnett; Hawley; Heflin; Hernandez; Hightower; Hilbert; Hilderbran; Hill; Hirschi; Hochberg; Holzheuser; Howard; Hudson; Hunter, B.; Hunter, T.;



Jackson; Janek; Johnson; Jones, D.; Jones, J.; Junell; Kamel; King; Krusee; Kubiak; Kuempel; Lewis, G.; Longoria; Luna; Madden; Marchant; Maxey; McCall; McCoulskey; McDonald; Moffat; Moreno; Munoz; Naishtat; Nixon; Oakley; Ogden; Oliveira; Park; Patterson; Pickett; Pitts; Place; Price; Puente; Rabuck; Ramsay; Rangel; Raymond; Reyna; Rhodes; Rodriguez; Romo; Rusling; Sadler; Saunders; Seidlits; Serna; Shields; Siebert; Smithee; Solis; Solomons; Staples; Stiles; Swinford; Telford; Thompson; Tillery; Torres; Turner, B.; Turner, S.; Uher(C); Van de Putte; Walker; West; Wilson; Wohlgemuth; Wolens; Woolley; Yarbrough; Yost; Zbranek.

Present not voting — Mr. Speaker.

Absent, Excused — Clemons; Coleman; Horn; Talton.

Absent — Black; Elkins; Lewis, R.; Mowery; Williamson; Willis.

### **HB 3178 - PERMISSION TO INTRODUCE**

Representative Gray moved to suspend the constitutional rule for permission to introduce and have placed on first reading **HB 3178**.

A record vote was requested.

The motion prevailed by (Record 87): 141 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Averitt; Bailey; Berlanga; Black; Bosse; Brady; Brimer; Carona; Carter; Chisum; Combs; Conley; Cook; Corte; Counts; Crabb; Craddick; Cuellar, H.; Cuellar, R.; Culberson; Danburg; Davila; Davis; De La Garza; Dear; Delisi; Denny; Driver; Dukes; Duncan; Dutton; Edwards; Ehrhardt; Eiland; Farrar; Finnell; Gallego; Giddings; Glaze; Goodman; Goolsby; Gray; Greenberg; Grusendorf; Gutierrez; Haggerty; Hamric; Harris; Hartnett; Hawley; Heflin; Hernandez; Hilbert; Hilderbran; Hill; Hirschi; Hochberg; Holzheuser; Howard; Hudson; Hunter, B.; Hunter, T.; Jackson; Janek; Johnson; Jones, D.; Jones, J.; Junell; Kamel; King; Krusee; Kubiak; Kuempel; Lewis, G.; Lewis, R.; Longoria; Luna; Madden; Marchant; Maxey; McCall; McCoulskey; McDonald; Moffat; Moreno; Munoz; Naishtat; Nixon; Oakley; Ogden; Oliveira; Park; Patterson; Pickett; Pitts; Place; Price; Puente; Rabuck; Ramsay; Rangel; Raymond; Reyna; Rhodes; Rodriguez; Romo; Rusling; Sadler; Saunders; Seidlits; Serna; Shields; Siebert; Smithee; Solis; Solomons; Staples; Stiles; Swinford; Telford; Thompson; Tillery; Torres; Turner, B.; Turner, S.; Uher(C); Van de Putte; Walker; West; Williamson; Willis; Wilson; Wohlgemuth; Wolens; Woolley; Yarbrough; Yost; Zbranek.

Present, not voting — Mr. Speaker.

Absent, Excused — Clemons; Coleman; Horn; Talton.

Absent — Alexander; Elkins; Hightower; Mowery.

(Speaker in the chair)

### **SB 360 ON SECOND READING (Telford - House Sponsor)**

The speaker laid before the house, as postponed business, on its second reading and passage to third reading,

**SB 360**, A bill to be entitled An Act relating to the continuation and functions of the Texas Commission on the Arts.

**SB 360** was read second time on March 22 and was postponed until 10 a.m. today.

**Amendment No. 1**

Representative Chisum offered the following amendment to the bill:

Amend **SB 360**, as follows:

1) On page 10, line 2, add a new SECTION 10 to read as follows:

SECTION 10. Section 444.021, Government Code, is amended to read as follows:

Sec. 444.021. GENERAL DUTIES. (a) The commission shall:

(1) foster the development of a receptive climate for the arts that will culturally enrich and benefit state citizens in their daily lives;

(2) make visits and vacations to the state more appealing to the world;

(3) attract, through appropriate programs of publicity and education, additional outstanding artists to become state residents;

(4) direct activities such as the sponsorship of lectures and exhibitions and the central compilation and dissemination of information on the progress of the arts in the state;

(5) provide advice to the State Purchasing and general Services Commission, Texas Historical Commission Texas State Library, Texas Tourist Development Agency, State Department of Highways and Public Transportation, and other state agencies to provide a concentrated state effort in encouraging and developing and appreciation for the arts in the state;

(6) provide advice relating to the creation, acquisition, construction, erection, or remodeling by the state of a work of art; and

(7) provide advice, on request of the governor, relating to the artistic character of buildings constructed, erected, or remodeled by the state.

(b) The commission shall not foster, encourage, promote or fund any project which:

(1) involves or endorses an illegal activity,

(2) includes sexually explicit material.

(2) Renumber all subsequent sections.

Amendment No. 1 was adopted. (Maxey recorded voting no)

**SB 360**, as amended, was passed to third reading.

**SB 319 ON THIRD READING**  
(Seidlits - House Sponsor)

The speaker laid before the house, on its third reading and final passage,

**SB 319**, A bill to be entitled An Act relating to a nonsubstantive recodification of the Public Utility Regulatory Act.

A record vote was requested.

The bill was read third time and was passed by (Record 88): 141 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Alexander; Allen; Alonzo; Alvarado; Averitt; Bailey; Berlanga; Black; Bosse; Brady; Brimer; Carona; Carter; Chisum; Combs; Conley; Cook;

Corte; Counts; Crabb; Craddick; Cuellar, H.; Cuellar, R.; Culberson; Danburg; Davila; Davis; De La Garza; Dear; Denny; Driver; Dukes; Duncan; Dutton; Edwards; Ehrhardt; Eiland; Elkins; Farrar; Finnell; Gallego; Giddings; Glaze; Goodman; Goolsby; Gray; Greenberg; Grusendorf; Gutierrez; Haggerty; Hamric; Harris; Hartnett; Hawley; Heflin; Hernandez; Hightower; Hilbert; Hilderbran; Hill; Hirschi; Hochberg; Holzheuser; Howard; Hunter, B.; Hunter, T.; Jackson; Janek; Johnson; Jones, D.; Jones, J.; Junell; Kamel; Krusee; Kubiak; Kuempel; Lewis, G.; Lewis, R.; Longoria; Luna; Madden; Marchant; Maxey; McCall; McCoulskey; McDonald; Moffat; Moreno; Mowery; Munoz; Naishtat; Nixon; Oakley; Ogden; Oliveira; Park; Patterson; Pickett; Pitts; Place; Price; Puente; Rabuck; Ramsay; Rangel; Raymond; Reyna; Rhodes; Rodriguez; Romo; Rusling; Sadler; Saunders; Seidlits; Serna; Shields; Siebert; Smithee; Solomons; Staples; Stiles; Swinford; Telford; Thompson; Tillery; Torres; Turner, B.; Turner, S.; Uher; Van de Putte; Walker; West; Williamson; Willis; Wilson; Wohlgemuth; Wolens; Woolley; Yarbrough; Yost; Zbranek.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Clemons; Coleman; Horn; Talton.

Absent — Delisi; Hudson; King; Solis.

(Danburg in the chair)

**SB 436 ON THIRD READING**  
**(Rangel - House Sponsor)**

The chair laid before the house, on its third reading and final passage,

**SB 436**, A bill to be entitled An Act relating to the regulation of certain facilities that advertise the provision of special care for residents with Alzheimer's disease and related disorders.

The bill was read third time.

Representative McDonald moved to postpone consideration of **SB 436** until the end of the calendar.

The motion prevailed without objection.

**SB 290 ON THIRD READING**  
**(Culberson - House Sponsor)**

The chair laid before the house, on its third reading and final passage,

**SB 290**, A bill to be entitled An Act relating to the delay of the employer trip reduction program.

A record vote was requested.

The bill was read third time and was passed by (Record 89): 137 Yeas, 0 Nays, 3 Present, not voting.

Yeas — Alexander; Allen; Alonzo; Averitt; Bailey; Berlanga; Black; Bosse; Brady; Brimer; Carona; Carter; Chisum; Combs; Conley; Cook; Corte; Counts; Crabb; Craddick; Cuellar, H.; Cuellar, R.; Culberson; Davila; Davis; De La Garza; Dear; Delisi; Denny; Driver; Duncan; Dutton; Edwards; Ehrhardt;

Eiland; Elkins; Farrar; Finnell; Gallego; Giddings; Glaze; Goodman; Goolsby; Gray; Greenberg; Grusendorf; Gutierrez; Haggerty; Hamric; Harris; Hartnett; Hawley; Heflin; Hernandez; Hightower; Hilbert; Hilderbran; Hill; Hirschi; Holzheuser; Howard; Hunter, B.; Hunter, T.; Jackson; Janek; Johnson; Jones, D.; Jones, J.; Junell; King; Kubiak; Kuempel; Lewis, G.; Lewis, R.; Longoria; Luna; Madden; Marchant; Maxey; McCall; McCoulskey; McDonald; Moffat; Moreno; Mowery; Munoz; Naishtat; Nixon; Oakley; Ogden; Oliveira; Park; Patterson; Pickett; Pitts; Place; Price; Puente; Rabuck; Ramsay; Rangel; Raymond; Reyna; Rhodes; Rodriguez; Romo; Rusling; Sadler; Saunders; Seidlits; Serna; Shields; Siebert; Smithee; Solis; Solomons; Staples; Stiles; Swinford; Telford; Tillery; Torres; Turner, B.; Turner, S.; Uher; Van de Putte; Walker; West; Williamson; Willis; Wilson; Wohlgemuth; Wolens; Woolley; Yarbrough; Yost; Zbranek.

Present, not voting — Mr. Speaker; Danburg(C); Dukes.

Absent, Excused — Clemons; Coleman; Horn; Talton.

Absent — Alvarado; Hochberg; Hudson; Kamel; Krusee; Thompson.

**SB 414 ON THIRD READING**  
**(Walker - House Sponsor)**

The chair laid before the house, on its third reading and final passage,

**SB 414.** A bill to be entitled An Act relating to the restricted sale of wine for off-premises consumption by the holder of a winery permit in certain dry areas.

(Speaker in the chair)

A record vote was requested.

The bill was read third time and was passed by (Record 90): 134 Yeas, 2 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Averitt; Bailey; Berlanga; Black; Bosse; Brady; Brimer; Carona; Carter; Chisum; Combs; Conley; Corte; Crabb; Craddick; Cuellar, H.; Cuellar, R.; Culberson; Danburg; Davila; Davis; De La Garza; Dear; Delisi; Denny; Driver; Dukes; Duncan; Dutton; Edwards; Ehrhardt; Eiland; Elkins; Farrar; Gallego; Giddings; Glaze; Goodman; Goolsby; Gray; Greenberg; Grusendorf; Gutierrez; Haggerty; Hamric; Harris; Hartnett; Hawley; Hernandez; Hightower; Hilbert; Hilderbran; Hill; Hirschi; Holzheuser; Howard; Hudson; Hunter, B.; Hunter, T.; Jackson; Janek; Johnson; Jones, D.; Jones, J.; Junell; Kamel; King; Kubiak; Lewis, G.; Lewis, R.; Longoria; Luna; Madden; Maxey; McCall; McCoulskey; McDonald; Moffat; Mowery; Munoz; Naishtat; Nixon; Oakley; Ogden; Oliveira; Park; Patterson; Pickett; Pitts; Place; Price; Puente; Rabuck; Ramsay; Rangel; Raymond; Reyna; Rhodes; Rodriguez; Romo; Rusling; Sadler; Saunders; Seidlits; Serna; Shields; Siebert; Smithee; Solis; Solomons; Staples; Stiles; Telford; Thompson; Tillery; Torres; Turner, B.; Turner, S.; Uher; Van de Putte; Walker; West; Williamson; Willis; Wilson; Wohlgemuth; Wolens; Woolley; Yarbrough; Yost; Zbranek.

Nays — Finnell; Heflin.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Clemons; Coleman; Horn; Talton.

Absent — Alexander; Cook; Counts; Hochberg; Krusee; Kuempel; Marchant; Moreno; Swinford.

### STATEMENTS OF VOTE

I was shown voting yes on Record No. 90. I intended to vote no.

Corte

I was shown voting yes on Record No. 90. I intended to vote no.

Crabb

### SB 449 ON THIRD READING (Telford - House Sponsor)

The speaker laid before the house, on its third reading and final passage,

**SB 449**, A bill to be entitled An Act relating to membership in, contributions to, and administration of local retirement systems for fire fighters.

The bill was read third time.

#### Amendment No. 1

Representative Telford offered the following amendment to the bill:

Amend **SB 449** on third reading by amending 2nd reading Amendment No. 1 (by Ogden) as follows:

On the 15th line of page 3 of the amendment, strike "polices" and substitute "policies".

Amendment No. 1 was adopted without objection.

A record vote was requested.

**SB 449**, as amended, was passed by (Record 91): 141 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Alexander; Allen; Alonzo; Alvarado; Averitt; Bailey; Berlanga; Black; Bosse; Brady; Brimer; Carona; Carter; Chisum; Combs; Conley; Cook; Corte; Counts; Crabb; Craddick; Cuellar, H.; Cuellar, R.; Culberson; Danburg; Davila; Davis; De La Garza; Dear; Delisi; Denny; Driver; Duncan; Dutton; Edwards; Ehrhardt; Eiland; Elkins; Farrar; Finnell; Gallego; Giddings; Glaze; Goodman; Goolsby; Gray; Greenberg; Grusendorf; Gutierrez; Haggerty; Hamric; Harris; Hartnett; Hawley; Heflin; Hernandez; Hightower; Hilbert; Hilderbran; Hill; Hirschi; Hochberg; Holzheuser; Howard; Hudson; Hunter, B.; Hunter, T.; Jackson; Janek; Johnson; Jones, D.; Jones, J.; Junell; Kamel; King; Kubiak; Kuempel; Lewis, G.; Lewis, R.; Longoria; Luna; Madden; Marchant; Maxey; McCall; McCoulskey; McDonald; Moffat; Mowery; Munoz; Naishtat; Nixon; Oakley; Ogden; Oliveira; Park; Patterson; Pickett; Pitts; Place; Price; Puente; Rabuck; Ramsay; Raymond; Reyna; Rhodes; Rodriguez; Romo; Rusling; Sadler; Saunders; Seidlits; Serna; Shields; Siebert; Smithee; Solis; Solomons; Staples; Stiles; Swinford; Telford; Thompson; Tillery; Torres; Turner, B.; Turner, S.;

Uher; Van de Putte; Walker; West; Williamson; Willis; Wilson; Wohlgemuth; Wolens; Woolley; Yarbrough; Yost; Zbranek.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Clemons; Coleman; Horn; Talton.

Absent — Dukes; Krusee; Moreno; Rangel.

### HB 327 ON THIRD READING

The speaker laid before the house, on its third reading and final passage,

**HB 327**, A bill to be entitled An Act relating to the juvenile justice system; providing for the enhancement of penalties; providing criminal penalties for adults and children.

The bill was read third time.

#### Amendment No. 1

Representative Goodman offered the following amendment to the bill:

Amend **HB 327** (2nd Reading Engrossment) on third reading as follows:

(1) On page 84, line 18, strike "custody, detention, or".

(2) On page 87, line 14, strike "(a-1)" and substitute "(b)".

(3) On page 87, line 23, strike "(b)" and substitute "(c)" and strike "(d)" and substitute "(e)".

(4) On page 88, line 4, strike "(c)" and substitute "(d)" and strike "(d)" and substitute "(e)".

(5) On page 88, line 9, strike "(d)" and substitute "(e)".

(5) On page 88, line 15, strike "(e)" and substitute "(f)".

Amendment No. 1 was adopted without objection.

A record vote was requested.

**HB 327**, as amended, was passed by (Record 92): 118 Yeas, 24 Nays, 1 Present, not voting.

Yeas — Alexander; Allen; Alvarado; Averitt; Black; Bosse; Brady; Brimer; Carona; Carter; Chisum; Combs; Cook; Corte; Counts; Crabb; Craddick; Cuellar, H.; Cuellar, R.; Culberson; Danburg; De La Garza; Dear; Delisi; Denny; Driver; Duncan; Eiland; Elkins; Finnell; Gallego; Glaze; Goodman; Goolsby; Gray; Greenberg; Grusendorf; Gutierrez; Haggerty; Hamric; Harris; Hartnett; Hawley; Heflin; Hernandez; Hightower; Hilbert; Hilderbran; Hill; Hirschi; Holzheuser; Howard; Hunter, B.; Hunter, T.; Jackson; Janek; Johnson; Jones, D.; Junell; Kamel; King; Krusee; Kubiak; Kuempel; Lewis, R.; Longoria; Madden; McCall; McCoulskey; McDonald; Moffat; Mowery; Munoz; Naishtat; Nixon; Oakley; Ogden; Oliveira; Park; Patterson; Pickett; Pitts; Place; Puente; Rabuck; Ramsay; Raymond; Reyna; Rhodes; Rusling; Sadler; Saunders; Seidlits; Shields; Siebert; Smithee; Solis; Solomons; Staples; Stiles; Swinford; Telford; Thompson; Tillery; Turner, B.; Uher; Van de Putte; Walker; West; Williamson; Willis; Wilson; Wohlgemuth; Wolens; Woolley; Yarbrough; Yost; Zbranek.

Nays — Alonzo; Bailey; Berlanga; Conley; Davila; Davis; Dukes; Dutton; Edwards; Ehrhardt; Farrar; Hudson; Jones, J.; Lewis, G.; Luna; Maxey; Moreno; Price; Rangel; Rodriguez; Romo; Serna; Torres; Turner, S.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Clemons; Coleman; Horn; Talton.

Absent — Giddings; Hochberg; Marchant.

### STATEMENTS OF VOTE

I was shown voting no on Record No. 92. I intended to vote yes.

Serna

I was shown voting yes on Record No. 92. I intended to vote no.

Wilson

### REASON FOR VOTE

A lack of adequate funding for prevention and intervention.

Berlanga

### HB 736 ON THIRD READING

The speaker laid before the house, on its third reading and final passage,

**HB 736**, A bill to be entitled An Act relating to the declination of remuneration by elected or appointed state officers.

A record vote was requested.

The bill was read third time and was passed by (Record 93): 140 Yeas, 2 Nays, 1 Present, not voting.

Yeas — Alexander; Allen; Alonzo; Alvarado; Averitt; Bailey; Berlanga; Black; Bosse; Brady; Brimer; Carona; Carter; Chisum; Combs; Conley; Cook; Corte; Counts; Crabb; Craddock; Cuellar, H.; Cuellar, R.; Culberson; Danburg; Davila; Davis; De La Garza; Dear; Delisi; Denny; Driver; Dukes; Duncan; Edwards; Ehrhardt; Eiland; Elkins; Farrar; Fennell; Gallego; Giddings; Glaze; Goodman; Goolsby; Gray; Greenberg; Grusendorf; Gutierrez; Haggerty; Hamric; Harris; Hartnett; Hawley; Heflin; Hernandez; Hightower; Hilbert; Hilderbran; Hill; Hirschi; Holzheuser; Howard; Hudson; Hunter, B.; Hunter, T.; Jackson; Janek; Johnson; Jones, D.; Jones, J.; Junell; Kamel; King; Krusee; Kubiak; Kuempel; Lewis, G.; Longoria; Luna; Madden; Marchant; Maxey; McCall; McCoulskey; McDonald; Moffat; Moreno; Mowery; Munoz; Naishat; Nixon; Oakley; Ogden; Oliveira; Park; Patterson; Pickett; Pitts; Place; Price; Puente; Rabuck; Ramsay; Rangel; Raymond; Reyna; Rhodes; Romo; Rusling; Sadler; Saunders; Seidlits; Serna; Shields; Siebert; Smithee; Solis; Solomons; Staples; Stiles; Swinford; Telford; Thompson; Tillery; Torres; Turner, B.; Turner, S.; Uher; Van de Putte; Walker; West; Willis; Wilson; Wohlgemuth; Wolens; Woolley; Yarbrough; Yost; Zbranek.

Nays — Dutton; Rodriguez.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Clemons; Coleman; Horn; Talton.

Absent — Hochberg; Lewis, R.; Williamson.

**HB 770 ON THIRD READING**

The speaker laid before the house, on its third reading and final passage,

**HB 770**, A bill to be entitled An Act relating to the attorney for service of process of certain insurance companies.

The bill was read third time and was passed.

**HB 775 ON THIRD READING**

The speaker laid before the house, on its third reading and final passage,

**HB 775**, A bill to be entitled An Act relating to corporations transacting certain insurance business.

The bill was read third time and was passed.

**HB 1207 ON THIRD READING**

The speaker laid before the house, on its third reading and final passage,

**HB 1207**, A bill to be entitled An Act relating to the authority of a hospital district to contract with the Texas Department of Health for the provision of certain health care services.

The bill was read third time and was passed.

**HB 731 ON THIRD READING**

The speaker laid before the house, on its third reading and final passage,

**HB 731**, A bill to be entitled An Act relating to the investment of funds of a local government or an institution of higher education.

A record vote was requested.

The bill was read third time and was passed by (Record 94): 144 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Alexander; Allen; Alonzo; Alvarado; Averitt; Bailey; Berlanga; Black; Bosse; Brady; Brimer; Carona; Carter; Chisum; Combs; Conley; Cook; Corte; Counts; Crabb; Craddick; Cuellar, H.; Cuellar, R.; Culberson; Danburg; Davila; Davis; De La Garza; Dear; Delisi; Denny; Driver; Dukes; Duncan; Dutton; Edwards; Ehrhardt; Eiland; Elkins; Farrar; Finnell; Gallego; Giddings; Glaze; Goodman; Goolsby; Gray; Greenberg; Grusendorf; Gutierrez; Haggerty; Hamric; Harris; Hartnett; Hawley; Heflin; Hernandez; Hightower; Hilbert; Hilderbran; Hill; Hirschi; Hochberg; Holzheuser; Howard; Hudson; Hunter, B.; Hunter, T.; Jackson; Janek; Johnson; Jones, D.; Jones, J.; Junell; Kamel; King; Krusee; Kubiak; Kuempel; Lewis, G.; Lewis, R.; Longoria; Luna; Madden; Marchant; Maxey; McCall; McCoulskey; McDonald; Moffat; Moreno; Mowery; Munoz; Naishtat; Nixon; Oakley; Oliveira; Park; Patterson; Pickett; Pitts; Place; Price; Puente; Rabuck; Ramsay; Rangel; Raymond; Reyna; Rhodes; Rodriguez; Romo; Rusling; Sadler; Saunders; Seidlits; Serna; Shields; Siebert; Smithee; Solis; Solomons; Staples; Stiles; Swinford; Telford; Thompson; Tillery; Torres; Turner, B.; Turner, S.; Uher; Van de Putte; Walker; West; Williamson; Willis; Wilson; Wohlgemuth; Wolens; Woolley; Yarbrough; Yost; Zbranek.



Present, not voting — Mr. Speaker(C).

Absent, Excused — Clemons; Coleman; Horn; Talton.

Absent — Ogden.

### **HB 592 ON THIRD READING**

The speaker laid before the house, on its third reading and final passage,

**HB 592**, A bill to be entitled An Act relating to the composition of community justice task forces.

A record vote was requested.

The bill was read third time and was passed by (Record 95): 145 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Alexander; Allen; Alonzo; Alvarado; Averitt; Bailey; Berlanga; Black; Bosse; Brady; Brimer; Carona; Carter; Chisum; Combs; Conley; Cook; Corte; Counts; Crabb; Craddick; Cuellar, H.; Cuellar, R.; Culberson; Danburg; Davila; Davis; De La Garza; Dear; Delisi; Denny; Driver; Dukes; Duncan; Dutton; Edwards; Ehrhardt; Eiland; Elkins; Farrar; Finnell; Gallego; Giddings; Glaze; Goodman; Goolsby; Gray; Greenberg; Grusendorf; Gutierrez; Haggerty; Hamric; Harris; Hartnett; Hawley; Heflin; Hernandez; Hightower; Hilbert; Hilderbran; Hill; Hirschi; Hochberg; Holzheuser; Howard; Hudson; Hunter, B.; Hunter, T.; Jackson; Janek; Johnson; Jones, D.; Jones, J.; Junell; Kamel; King; Krusee; Kubiak; Kuempel; Lewis, G.; Lewis, R.; Longoria; Luna; Madden; Marchant; Maxey; McCall; McCoulskey; McDonald; Moffat; Moreno; Mowery; Munoz; Naishtat; Nixon; Oakley; Ogden; Oliveira; Park; Patterson; Pickett; Pitts; Place; Price; Puente; Rabuck; Ramsay; Rangel; Raymond; Reyna; Rhodes; Rodriguez; Romo; Rusling; Sadler; Saunders; Seidlits; Serna; Shields; Siebert; Smithee; Solis; Solomons; Staples; Stiles; Swinford; Telford; Thompson; Tillery; Torres; Turner, B.; Turner, S.; Uher; Van de Putte; Walker; West; Williamson; Willis; Wilson; Wohlgemuth; Wolens; Woolley; Yarbrough; Yost; Zbraneck.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Clemons; Coleman; Horn; Talton.

### **SB 436 ON THIRD READING** **(Rangel - House Sponsor)**

The speaker laid before the house, as postponed business, on its third reading and final passage,

**SB 436**, A bill to be entitled An Act relating to the regulation of certain facilities that advertise the provision of special care for residents with Alzheimer's disease and related disorders.

The bill was read third time earlier today and was postponed until this time.

### **Amendment No. 1**

Representative Smithee offered the following amendment to the bill:

Amend **SB 436** on third reading by amending the second reading amendment (by Smithee) by adding, following the period at the end of new Section 242.202(g), the following:

This subsection does not alter any right to confidentiality relating to the identity or circumstances of a complainant or resident established by other law. To the extent necessary to comply with other law, identifying information shall be removed from documents made available for public inspection under this subsection.

Amendment No. 1 was adopted without objection.

A record vote was requested.

**SB 436**, as amended, was passed by (Record 96): 139 Yeas, 1 Nay, 1 Present, not voting.

Yeas — Alexander; Allen; Alonzo; Alvarado; Averitt; Bailey; Berlanga; Black; Bosse; Brady; Brimer; Carona; Carter; Chisum; Combs; Conley; Cook; Corte; Counts; Crabb; Craddick; Cuellar, H.; Cuellar, R.; Culberson; Danburg; Davila; Davis; De La Garza; Dear; Delisi; Denny; Driver; Dukes; Duncan; Dutton; Edwards; Ehrhardt; Eiland; Elkins; Farrar; Finnell; Gallego; Glaze; Goodman; Goolsby; Gray; Greenberg; Grusendorf; Gutierrez; Haggerty; Hamric; Harris; Hartnett; Hawley; Heflin; Hernandez; Hightower; Hilbert; Hilderbran; Hill; Hirschi; Hochberg; Holzheuser; Howard; Hudson; Hunter, B.; Hunter, T.; Jackson; Janek; Johnson; Jones, D.; Jones, J.; Junell; Kamel; King; Krusee; Kubiak; Kuempel; Lewis, G.; Longoria; Luna; Madden; Maxey; McCall; McCoulskey; McDonald; Moffat; Moreno; Mowery; Munoz; Naishtat; Nixon; Oakley; Ogden; Oliveira; Park; Patterson; Pickett; Pitts; Place; Price; Puente; Rabuck; Ramsay; Rangel; Raymond; Reyna; Rhodes; Rodriguez; Romo; Rusling; Sadler; Saunders; Seidlits; Serna; Shields; Siebert; Smithee; Solis; Solomons; Staples; Stiles; Swinford; Telford; Thompson; Tillery; Torres; Turner, B.; Turner, S.; Uher; Van de Putte; Walker; West; Willis; Wilson; Wolens; Woolley; Yarbrough; Yost.

Nay — Wohlgemuth.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Clemons; Coleman; Horn; Talton.

Absent — Giddings; Lewis, R.; Marchant; Williamson; Zbranek.

### STATEMENT OF VOTE

I was shown voting yes on Record No. 96. I intended to vote no.

Corte

### HR 466 - ADOPTED

Representative Davila moved to suspend all necessary rules to take up and consider at this time **HR 466**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

By Davila,

**HR 466**, Recognizing the eighth annual Hispanic Women in Leadership conference.

The resolution was adopted without objection.

### COMMITTEE MEETING ANNOUNCEMENTS

The following committee meetings were announced:

Public Health, on adjournment today, Desk 138, to consider **HB 1200**.

Energy Resources, Subcommittee on **HB 955**, on adjournment today, Desk 94, to consider **CSHB 955**.

Human Services, on adjournment today, Desk 41, to consider pending business.

Land and Resource Management, Subcommittee on **HB 311**, on adjournment today, Desk 3.

Land and Resource Management, Subcommittee on Regulation, on adjournment today, Desk 105.

Appropriations, 2 p.m. today, for a briefing on the Appropriations Bill.

### STATEMENT OF VOTE

When Record No. 84 was taken on **HB 949** on third reading, I was absent because of important business. Had I been present, I would have voted yes.

Hawley

### ADJOURNMENT

Representative Finnell moved that the house adjourn until 10 a.m. Monday, March 27, in memory of the Honorable David Ratliff, former member of the Texas Senate and the Texas House of Representatives.

The motion prevailed without objection.

The house accordingly, at 11:13 a.m., adjourned until 10 a.m. Monday, March 27.

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### APPENDIX

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### STANDING COMMITTEE REPORTS

Favorable reports have been filed by committees as follows:

County Affairs - **HB 1760**

Judicial Affairs - **HB 672, HB 2028, HB 2098, HB 3168**

Juvenile Justice and Family Issues - **HB 1409**

Licensing and Administrative Procedures - **HB 200, HB 201**

Natural Resources - **HB 276, HB 320, HB 432, HB 475**

Rules and Resolutions - **HCR 131, HCR 135, HR 299, HR 301, HR 303, HR 307, HR 313, HR 314, HR 316, HR 317, HR 318, HR 319, HR 320, HR 321, HR 322, HR 323, HR 324, HR 325, HR 326, HR 338, HR 341, HR 344, HR 357, HR 358, HR 360, HR 361, HR 362, HR 371, HR 374, HR 377, HR 378, HR 379, HR 381, HR 382, HR 383, HR 384, HR 385, HR 387, HR 388, HR 389, HR 390, HR 391, HR 392, HR 398, HR 414, HR 417, HR 427, HR 428**

State Recreational Resources - **HB 239**

Urban Affairs - **SB 299, SB 563, SB 609**

Ways and Means - **HB 366, HB 399, HB 1127, HJR 31, HJR 35, HJR 64**

**ENGROSSED**

March 22 - **HB 222, HB 949**

March 23 - **HB 686, HB 1292**

**SENT TO THE GOVERNOR**

March 22 - **HCR 74, HCR 123, HCR 136**

**SENT TO THE SECRETARY OF STATE**

March 22 - **HJR 34**